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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

12 **ANGELA A.E. KIDD, aka**
13 **ANGELA A. DELONG KIDD**
Post Office Box 71
14 Louisa, Kentucky 41230

15 Registered Nurse License No. RN 600716

16 Respondent.

Case No. 2008-313

A C C U S A T I O N

17 Ruth Ann Terry, M.P.H., R.N. ("Complainant") alleges:

18 **PARTIES**

19 1. Complainant brings this Accusation solely in her official capacity as the
20 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer
21 Affairs.

22 **License History**

23 2. On or about June 18, 2002, the Board issued Registered Nurse License
24 Number RN 600716 ("license") to Angela A.E. Kidd, also known as Angela A. Delong Kidd
25 ("Respondent"). The license will expire on April 30, 2008, unless renewed.

26 **STATUTORY PROVISIONS**

27 3. Section 2750 of the Business and Professions ("Code") provides, in
28 pertinent part, that the Board may discipline any licensee, including a licensee holding a

1 temporary or an inactive license, for any reason provided in Article 3 (commencing with Code
2 section 2750) of the Nursing Practice Act.

3 4. Code section 2764, in pertinent part, that the expiration of a license shall
4 not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
5 licensee or to render a decision imposing discipline on the license. Under Code section 2811,
6 subdivision (b), the Board may renew an expired license at any time within eight years after the
7 expiration.

8 5. Code section 118, subdivision (b), provides that the suspension,
9 expiration, surrender, or cancellation of a license shall not deprive the Board of jurisdiction to
10 proceed with a disciplinary action during the period within which the license may be renewed,
11 restored, reissued or reinstated.

12 6. Code section 2761 states, in pertinent part:

13 The board may take disciplinary action against a certified or
14 licensed nurse or deny an application for a certificate or license for any of
the following:

15 (a) Unprofessional conduct, which includes, but is not limited
16 to, the following:

17 (4) Denial of licensure, revocation, suspension, restriction, or
18 any other disciplinary action against a health care professional license or
19 certificate by another state or territory of the United States, by any other
government agency, or by another California health care professional
licensing board. A certified copy of the decision or judgment shall be
conclusive evidence of that action.

20 COST RECOVERY

21 7. Code section 125.3 provides, in pertinent part, that the Board may request
22 the administrative law judge to direct a licentiate found to have committed a violation or
23 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
24 and enforcement of the case.

25 CAUSE FOR DISCIPLINE

26 (Out-of-State Discipline)

27 8. Respondent's license is subject to disciplinary action under Code section
28 2761, subdivision (a)(4), on the grounds of unprofessional conduct, in that Respondent was

1 disciplined by the Kentucky Board of Nursing ("Kentucky Board"). Pursuant to the Kentucky
2 Board's Agreed Order, in the case entitled, *In Re: Angela A. Delong Kidd, RN License*
3 *No. 1060870*, Case No. 2006-877, effective July 26, 2007, Respondent's Registered Nurse
4 License No. 1060870, was suspended for a period of at least six months. In addition, Respondent
5 is required to submit a written request to the Kentucky Board if she wishes the Kentucky Board
6 to consider reinstatement of her registered nurse license. A copy of the Kentucky Board's
7 Agreed Order is attached as **Exhibit A** and is incorporated herein.

8 **PRAYER**

9 WHEREFORE, Complainant requests that a hearing be held on the matters herein
10 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

- 11 1. Revoking or suspending Registered Nurse License Number RN 600716
12 issued to Angela A.E. Kidd, also known as Angela A. Delong Kidd;
- 13 2. Ordering Angela A.E. Kidd, also known as Angela A. Delong Kidd to pay
14 the Board the reasonable costs of the investigation and enforcement of this case, pursuant to
15 Code section 125.3; and,
- 16 3. Taking such other and further action as deemed necessary and proper.

17
18 DATED: 5/11/08

19
20
21 
22 RUTH ANN TERRY, M.P.H., R.N.
23 Executive Officer
24 Board of Registered Nursing
25 Department of Consumer Affairs
26 State of California
27 Complainant

12-07-08

DATE 8-15-2007
I CERTIFY THIS TO BE A
TRUE COPY OF THE ORIGINAL
ON FILE WITH THE KENTUCKY
BOARD OF NURSING

KENTUCKY BOARD OF NURSING

AGREED ORDER
CASE # 2006-877

Wendy N. Thomas

IN RE: ANGELA A. DELONG KIDD**RN LICENSE # 1060870**
(ITS 03/16/2006)

The Kentucky Board of Nursing, hereinafter referred to as the Board, has probable cause to believe that Angela A. Delong Kidd has violated KRS Chapter 314. Angela A. Delong Kidd, desiring to avoid a formal administrative hearing, enters into this Agreed Order with the Board.

The Board acknowledges receipt of a chemical dependency evaluation dated June 24, 2006 from Pathways, Inc., Ashland, Kentucky, that did not indicate a substance abuse or dependence problem.

Angela A. Delong Kidd, hereinafter referred to as Ms. Kidd, agrees and stipulates to the following facts for the limited purpose of this Agreed Order:

On March 14, 2006, Highland Regional Hospital, Prestonsburg, Kentucky, notified the Board that Ms. Kidd was working at their facility through Fastaff nursing agency as a travel nurse. On March 13, 2006, a patient indicated in a written statement that she had only received her pain medication from her assigned nurse, not Ms. Kidd. The Pyxis report indicated Ms. Kidd had withdrawn nineteen (19) vials of morphine sulfate injectable for this patient over a three (3) day period. The patient was not assigned to Ms. Kidd. On March 13, 2006 as the facility began their investigation, Ms. Kidd left the unit without giving notice. She was not scheduled to complete her shift until seven (7) p.m. A further review of the Pyxis report from March 1 - 13, 2006, indicated Ms. Kidd withdrew sixty two (62) doses of morphine sulfate injectable on patients not assigned to her. No documentation was found to support the administration of these medications.

On March 16, 2006, the Board issued an Order of Immediate Temporary Suspension of the license of Ms. Kidd in order to protect the public.

Ms. Kidd denies any diversion of the medication for herself or others. She does admit to failing to properly document the administration and wastage of controlled substances. She also denies "fleeing" the facility, but rather leaving early as was common practice according to her.

Ms. Kidd acknowledges these actions are in violation of KRS 314.091(1) (d) has negligently or willfully acted in a manner inconsistent with the practice of nursing; (h) has falsified or in a negligent manner made incorrect entries or failed to make essential entries on essential records; and (j) has violated any of the provisions of this chapter.

ANGELA A. DELONG KIDD**Agreed Order****Page 2**

Ms. Kidd understands and agrees to the following conditions for the limited purpose of this Agreed Order:

1. She has read and reviewed this Agreed Order and has had the opportunity to consult with legal counsel, if desired.
2. By entering into this Agreed Order, Ms. Kidd waives the full panoply of rights of hearing and appeal as authorized by statute, regulation, or court decision. These rights include the right to be present with counsel, to subpoena witnesses, to confront those against her and to appeal the decision as entered in this Order.
3. When this Agreed Order becomes effective, Ms. Kidd's nursing license will be continued on suspension for a period of at least six (6) months and she will not practice as a registered nurse in the Commonwealth of Kentucky during the period of suspension.
4. She will be required to submit a written request to the Kentucky Board of Nursing to schedule a hearing if she wishes the Board to consider reinstatement of the registered nurse license after the period of suspension.
5. At the time Ms. Kidd requests a hearing to consider reinstatement of the nursing license, she will provide the following:
 - a) verification of a chemical dependency evaluation, performed no earlier than ninety (90) days prior to requesting a hearing, and compliance with the recommendations of a specialist in the field of chemical dependency, such as a physician addictionologist, a licensed psychologist, advanced registered nurse practitioner, or certified alcohol and drug counselor. The evaluator must contact the Board staff prior to performing the evaluation and submit a written report to the Board upon completion;
 - b) verification of completion of a substance abuse treatment program, if recommended by the chemical dependency evaluator;
 - c) evidence of participation in therapeutic counseling for as long as deemed necessary by the counselor and/or primary therapist;
 - d) a letter of support from the therapeutic counselor and/or primary therapist verifying that she can return to nursing practice;
 - e) verification of six (6) continuous months of sobriety with copies of at least six (6) random body fluid alcohol/drug screen test results, performed no more frequently than one (1) per month, to verify that Ms. Kidd has remained drug/alcohol free during the six (6) months immediately prior to the scheduling of a hearing for reinstatement of the nursing license. These screens are to be performed at Ms. Kidd's expense;

ANGELA A. DELONG KIDD**Agreed Order****Page 3**

- f) she will pay a civil penalty of three hundred dollars (\$300) to the Board prior to scheduling a hearing for reinstatement of the nursing license; and
 - g) she will provide evidence of successful completion of at least thirty (30) contact hours on documentation and thirty (30) contact hours on substance abuse prior to scheduling a hearing for reinstatement of the nursing license. The sixty (60) contact hours are to be in addition to the continuing education requirement for reinstatement of the nursing license.
6. Evidence that Ms. Kidd has committed any violation of KRS 314 during the period of suspension will be considered at the time of her request for a hearing for reinstatement of the nursing license and may be grounds for additional disciplinary action.
 7. Submission of fraudulent documents or reports, or misrepresentation of facts relating to the terms and conditions of this Order will constitute violation of the Order.
 8. This Agreed Order, if signed by Ms. Kidd and an authorized agent for the Kentucky Board of Nursing, is public information and can be disseminated according to the regulations of the Board, the Kentucky Open Records Act, and any other state or federal law as required.
 9. This Agreed Order shall be effective and binding immediately on Ms. Kidd and the Kentucky Board of Nursing when signed by both parties.
 10. All provisions and conditions of this Order shall carry over to any license or privilege to practice nursing in Kentucky that she receives, including pursuant to any multi-state nursing licensure compact with the Board. Enter this language in all agreed orders.

ANGELA A. DELONG KIDD
Agreed Order
Page 4

Angela A. DeLong Kidd
ANGELA A. DELONG KIDD

I hereby certify that Angela A. DeLong Kidd signed this before me this 6/29/07 day of June, 2007.

Notary Public Sabrina Newsum
State of Kentucky
My Commission expires 01/25/2010

SEAL

Charlotte F. Beason
CHARLOTTE F. BEASON, Ed.D., RN, CNAA
EXECUTIVE DIRECTOR,
KENTUCKY BOARD OF NURSING

(BOARD SEAL)

Agreed to and entered by the Board on July 26, 2007

**COMMONWEALTH OF KENTUCKY
BOARD OF NURSING
Case Number: 2006-877**

8-15-2009
NOTIFY THIS TO BE A
COPY OF THE RECORD(S)
OF THE KENTUCKY
BOARD OF NURSING

Deane Thomas

In The Matter Of: **ANGELA A. DELONG KIDD**
RN License No. 1060870
P.O. Box 71
Louisa, KY 41230

ORDER OF IMMEDIATE TEMPORARY SUSPENSION

Pursuant to KRS 314.089(1), in order to protect the public, the Kentucky Board of Nursing hereby issues the following Order for the immediate temporary suspension of the license of Angela A. DeLong Kidd, hereinafter referred to as the Respondent, to practice as a Registered Nurse in the Commonwealth of Kentucky.

Pursuant to the above-cited statute, the basis for this Order is as follows:

1. The Respondent is a Registered Nurse, License No. 1060870, and, as such, the Kentucky Board of Nursing has jurisdiction in this matter pursuant to KRS Chapter 314.
2. On or about March 14, 2006, Highland Regional Hospital, Prestonsburg, Kentucky, notified the Board that Respondent was working at their facility through Fastaff nursing agency as a travel nurse. On or about March 13, 2006, a patient (L.Y.) indicated by written statement that she had only received pain medication from her assigned nurse (C.C., RN). A Pyxis report indicated that Respondent had withdrawn at least nineteen (19) vials of morphine sulfate for the patient (L.Y.) in a three (3) day period from March 10-13, 2006. The patient (L.Y.) was not assigned to the Respondent on these dates.

In the Matter of: Angel DeLong Kidd
RN License No. 1060870

3. On or about March 13, 2006, at approximately six thirty (6:30) p.m., the acting house director of the facility began an investigation into the allegations made by the patient (L.Y.) at which time the Respondent was witnessed leaving the unit without giving any notice. Respondent was not scheduled to complete her shift until seven (7) p.m.
4. The facility's investigation revealed that between the dates of March 1, 2006-March 13, 2006, the Respondent withdrew at least sixty-two (62) doses of morphine injectable on patients unassigned to the Respondent. Respondent worked a total of seven (7) days, each twelve (12) hour shifts during this time period. No documentation was found to support the administration of the morphine by the Respondent.
5. On or about March 14, 2006, Highlands Regional Medical Center filed a criminal complaint with the Floyd County District Court, Kentucky, and a summons requested for the Respondent to appear on charges that she committed theft by unlawful taking over three hundred dollars (\$300) by stealing nineteen (19) vials of morphine from the facility.
6. These actions constitute probable cause that Respondent has violated KRS 314.091(1)(d) has negligently or willfully acted in a manner inconsistent with the practice of nursing; KRS 314.091(1)(e) is unfit or incompetent to practice nursing by reason of negligence or other causes, including but not limited to, being unable to practice nursing with reasonable skill and safety; KRS 314.091(1)(g) has misused or misappropriated any drugs placed in the custody of the nurse for administration, or for use of others; KRS 314.091(1)(h) has falsified or in a negligent manner made incorrect

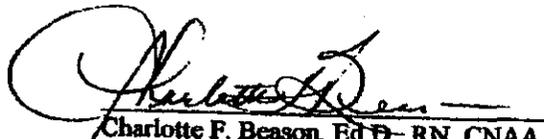
In the Matter of: Angel DeLong Kidd
RN License No. 1060870

entries or failed to make essential entries on essential records; and KRS 314.091(1)(j) has violated any provisions of Chapter 314, specifically KRS 314.021(2).

The Respondent is hereby **ORDERED** to **CEASE AND DESIST** from the practice of nursing effectively immediately. Any such practice after the date of this Order shall constitute grounds for further disciplinary action. **The Respondent's RN license is immediately suspended on a temporary basis. The Respondent must return her Kentucky nursing license to the Kentucky Board of Nursing immediately upon receipt of this Order.**

Pursuant to KRS 13B.125(3), the Respondent may request a Hearing in regard to this Order. Any such request must be in writing and sent to the attention of the Hearing Officer, Kentucky Board of Nursing, Suite 300, 312 Whittington Parkway, Louisville, Kentucky 40222. A request for a Hearing does not stay the effect of this Order.

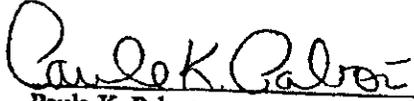
This 16th day of March 2006.


Charlotte F. Beason, Ed.D., RN, CNAA
Executive Director
Kentucky Board of Nursing

In the Matter of: Angela Delong Kidd
RN License No. 1060870

Certificate of Service

This is to certify that a true and correct copy of the foregoing Order of Immediate Temporary Suspension was served upon Angela A. Delong Kidd, P.O. Box 71, Louisa, Kentucky 41230, her address of record pursuant to KRS 314.107 via certified U.S. Mail, return receipt requested, postage pre-paid, and hand delivered to the Docket Clerk, Kentucky Board of Nursing, 312 Whittington Parkway, Suite 300, Louisville, Kentucky 40222, all on this the 16th day of March, 2006.



Paula K. Pabon
Prosecuting Attorney
Kentucky Board of Nursing
312 Whittington Parkway, Ste. 300
Louisville, Kentucky 40222
(502) 429-3300, ext. 243

I hereby certify that the Order of Immediate Temporary Suspension was served the 16th day of March, 2006, and became effective on that date pursuant to KRS 13B.125(2).


Consumer Protection Branch
Kentucky Board of Nursing